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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,415	09/28/2000	Wendy F. Hunter	10991850-1	8198

22879 7590 12/22/2004

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EXAMINER

RAHIMI, IRAJ A

ART UNIT PAPER NUMBER

2622

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/672,415	Applicant(s) HUNTER, WENDY F.	
	Examiner (Iraj) Alan Rahimi	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-29 and 31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 and 31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.


#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
TWYLER LAMB  
PRIMARY EXAMINER

#### Attachment(s)

- |  |   |
|--|---|
| <p>1) <input type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br/>Paper No(s)/Mail Date _____</p> | <p>4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)<br/>Paper No(s)/Mail Date. <u>attached</u></p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____</p> |
|--|---|

**DETAILED ACTION**

***Response to Amendment***

1. In papers filed on October 12, 2004 applicant cancelled claims 30 and 32. In accordance with the Interview Summary on December 1, 2004, this action is Non-Final.

***Response to Arguments***

2. Applicant's arguments filed October 12, 2004 have been fully considered but they are not persuasive. Applicant argues that there is teaching in Reed about the orientation of the thumbnail images generally, and more specifically, a processor responsive to a user input to print an image file in the same orientation in which the image file was acquired by utilizing stored orientation information. Examiner disagrees. As long as the orientation of image is not changed after saving an image on disk, there is no suggestion in Reed to think that orientation of the image will be printed any other way than originally saved. Reed certainly does not suggest changing the orientation data of an image. Thus the thumbnail image will be printed with the original orientation as image was taken and saved in a file. Figure 10 in Reed certainly shows user input for printing thumbnail images.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

Art Unit: 2622

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4, 8-11, 15-18, 22-25, 29 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Reed (US patent 6,426,801).

Regarding claim 1, Reed discloses a printer user interface comprising:

a display 40 for displaying information, including messages to a user (column 4, lines 4-9);

an input device 38 for enabling the user to respond to the displayed messages (column 3, lines 64-67 and column 4, lines 4-9);

an interface 32/34 to a detachable memory device including at least one image file; and  
a processor (controller 70) coupled to said input device, said display, and to said interface, said processor responsive to a first user input to print a thumbnail of said at least one image file in the same orientation in which said image file was acquired by utilizing stored orientation information (column 7, lines 8-24). Since thumbnail images are associated with one of the graphic files 102, 106, 108 and 110, it suggests printing of images as they were recorded in the file, which also includes the original orientation.

Regarding claim 2, Reed discloses the user interface of claim 1, wherein said at least one image file is a plurality of image files forming a set of image files (102, 106, 108, 110), and said processor is further responsive to a second user input to print an index page of thumbnails of a selected subset of said plurality of image files (column 7, lines 25-40).

Art Unit: 2622

Regarding claim 3, Reed discloses the user interface of claim 1, wherein said processor is further responsive to a third user input, specifying a number of thumbnails to be printed for each of said at least one image file (column 7, lines 8-24). By pressing the index button one set of thumbnail images are printed.

Regarding claim 4, Reed discloses the user interface of claim 1, wherein said at least one image file is assigned a unique identification in said detachable memory device, and wherein said thumbnail is printed with said unique identification (column 7, lines 25-40).

Regarding claims 8-11, 5-18, 22-25, 29 and 31 arguments analogous to those presented for claims 1-4, are respectively applicable.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5-7, 12-14, 19-21 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed (US patent 6,426,801) in view of Hirai (US patent 6,493,108).

Art Unit: 2622

Regarding claim 5, Reed discloses in column 7, lines 25-40 the user interface of claim 4, wherein said at least one image file is assigned an image number and a date in said detachable memory device, and said thumbnail is printed with said image number. However, he does not specifically disclose printing date with the thumbnail image. Hirai discloses in Fig. 5, printing order date with the thumbnail images. Reed and Hirai are combinable because they are from the same field of endeavor that is processing images for printing including thumbnail images. It would have been obvious to a person skilled in the art, at the time of invention to print the date with the thumbnail image. The motivation to do so would have been to indicate when the print order was placed. Therefore, it would have been obvious to a person skilled in the art, at the time of invention to combine Hirai with Reed to obtain the invention as specified in claim.

Regarding claim 6, Hirai discloses the user interface of claim 5, wherein said unique identification, said image number, and said date are printed outside of a border of said thumbnail (Fig. 5).

Regarding claim 7, Hirai discloses the user interface of claim 1, wherein a printed size of said thumbnail is determined by a size of a sheet on which said thumbnail is to be printed (column 11, lines 58-65).

Regarding claims 12-14, 19-21 and 26-28 arguments analogous to those presented for claims 5-7, are respectively applicable.

Art Unit: 2622

***Contact Information***

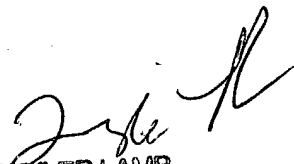
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to (Iraq) Alan Rahimi whose telephone number is 703-306-3473.

The examiner can normally be reached on Mon.-Fri. 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.

AR  
Alan Rahimi  
December 15, 2004

  
TWYLER LAMB  
PRIMARY EXAMINER